

Alabama Rules of Evidence

Article I. General Provisions

Rule 101.

Scope.

These rules govern proceedings in the courts of the State of Alabama to the extent and with the exceptions stated in Rule 1101.

Advisory Committee's Notes

This rule is the same as its federal counterpart except as modified for state application. As in Fed.R.Evid. 101, it is left for Rule 1101 to specify the courts, proceedings, questions, and stages of proceedings to which the rules apply in whole or in part. Providing such an initial broad statement of scope, with a subsequent rule dealing with scope in greater detail, is somewhat similar to the approach found in Rule 1(a) of the Alabama Rules of Civil Procedure. That rule, for example, refers the reader to Ala.R.Civ.P. 81 for a more detailed statement of scope. The purpose underlying this approach is to avoid discouraging the reader, at the outset of any study of the rules, with minute scope provisions. See J. Weinstein & M. Berger, 1 Weinstein's Evidence ¶ 101[01], at 101-02 (1980). The intent, except as otherwise provided in Rule 1101, is that the Alabama Rules of Evidence apply in all courts and proceedings in which the general law of evidence applied before these Rules were adopted.